

## ZONING COMMITTEE STAFF REPORT

1. FILE NAME: City House

FILE #11-148-456

2. APPLICANT: Parks & Recreation

HEARING DATE: June 16, 2011

3. TYPE OF APPLICATION: Nonconforming Use Permit-Reestablishment

4. LOCATION: 258 Mill St, south side of intersection of Walnut and Mill Street

5. PIN & LEGAL DESCRIPTION: 062822310021; Section 6 Town 28 Range 22 Riparian Rights In And Over That Area Described As Com At The Most Sly Cor Of Lot 1 Blk 1 Upper Landing Urban Village Th N 42 Deg 06 Min 59 Sec E Along The Sely L Of Sd Blk 1 A Dist Of 60.09 Ft Th S 47 Deg 53 Min 01 Sec E A Dist

6. PLANNING DISTRICT: 9

7. ZONING CODE REFERENCE: §62.109(d)

PRESENT ZONING: T3M, FW Floodway

8. STAFF REPORT DATE: June 8, 2011

BY: Josh Williams

9. DATE RECEIVED: May 23, 2011

60-DAY DEADLINE FOR ACTION: July 22, 2011

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A. PURPOSE: Reestablishment of nonconforming use as a reception hall in the FW Floodway District.

B. PARCEL SIZE: 8712 sq. ft.

C. EXISTING LAND USE: G-Parks/Rec. Facility

D. SURROUNDING LAND USE:

North: Park/Multi-Family Housing (T3)

East: Park/Multi-Family Housing (T3)

South: River

West: Park/Multi-Family Housing (T3)

E. ZONING CODE CITATION: §62.109(d) lists the conditions under which the Planning Commission may grant a permit to re-establish a nonconforming use.

F. HISTORY/DISCUSSION: The Saint Paul Housing and Redevelopment Authority (HRA) acquired the former Harvest States grain elevator property in 1988. The site was cleared, with Head House and Sack House (now collectively known as the City House) preserved, and listed on the National Register of Historic Places in 2004. In 2007, the HRA was granted a permit for reestablishment of non-conforming use of the City House as a restaurant and interpretive center. The nonconforming use permit for a restaurant became invalid because the restaurant was not established within two years of the decision, as required by Zoning Code §61.105.

G. DISTRICT COUNCIL RECOMMENDATION: The District 9 Council had not commented at the time of this report.

H. FINDINGS:

1. The City House is comprised of the historic Head House and Sack House, the lone remaining structures from the Harvest States grain storage and transfer complex. The City House is partially built on pilings, and was previously used to transfer grain between rail cars and barges. This previous use has been discontinued for over 20 years. Although a permit for reestablishment of nonconforming use of the City House as a restaurant and interpretive center was approved in 2007, the use as a restaurant was not established within two years and the nonconforming use permit for a restaurant became invalid by action of Zoning Code §61.105.

2. The City House proposal is for rehabilitation of the Head House and Sack House as a reception hall, to be available for use by the general public. Rehabilitation will include construction of a catering kitchen and flood-proofing of the structure to an FP-4 standard. Flood-proofing will consist of the use of water-resistant materials and a flood emergency response plan.

3. Section 62.109(e) states: *When a nonconforming use of a structure, or structure and land in combination, is discontinued or ceases to exist for a continuous period of three hundred sixty-five (365) days, the planning commission may permit the reestablishment of a nonconforming use if the commission makes the following findings:*
  - (1) *The structure, or structure and land in combination, cannot reasonably or economically be used for a conforming purpose.* This finding is met. The structure, due to its location in the floodway, is non-conforming with regard to any and all uses.
  - (2) *The proposed use is equally appropriate or more appropriate to the district than the previous nonconforming use.* This finding is met. The original use of the property was as part of a grain storage and shipment terminal. This previous use included the presence of machinery and perishable grain without any known flood-proofing measures, and was more subject to flood damage than the proposed use, which includes flood-proofing. Thus the proposed use is more appropriate for the FW Floodway district.
  - (3) *The proposed use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare.* This finding is met. The proposed use of the existing historic structure as a reception hall is a permitted conditional use in the underlying T3M Traditional Neighborhood district that applies to the surrounding area as well as to the subject property. Development of the site and surrounding area are guided by the Upper Landing Urban Design Master Plan to ensure compatibility with the surrounding area. The required conditional use permit, which has been applied for, provides for addressing any potential impact on surrounding property.
  - (4) *The proposed use is consistent with the comprehensive plan.* This finding is met. Reuse of the City House is consistent with the Upper Landing Urban Design Master Plan, which was adopted by the City Council in 2001, and is consistent with the Comprehensive Plan.
  - (5) *A notarized petition of two-thirds of the property owners within one hundred (100) feet of the property has been submitted stating their support for the use.* The applicant has requested a variance from the strict enforcement of this requirement. Zoning Code §61.101 and MN Stat. 462.357 provide for variance from the strict enforcement of provisions of the Zoning Code.
4. MN Stat. 462.357, Subd. 6, provides for variance from the strict enforcement of the provisions of the Zoning Code upon a finding that:
  - (a) *The variance is in harmony with the general purposes and intent of the zoning code.*

This finding is met. The purpose of the petition requirement is to obtain consent from surrounding property owners for a use not otherwise permitted in the area. In this case, the proposed use as a reception hall is a permitted conditional use in the underlying T3M zoning district that applies to the surrounding area as well as to the subject property. Development of the site and surrounding area are guided by the Upper Landing Urban Design Master Plan to ensure compatibility with the surrounding area. The required conditional use permit, which has been applied for, provides for addressing any potential impact on surrounding property.

In addition, the variance of the petition requirement is in harmony with the general purposes and intent of floodplain regulations to provide for reuse of nonconforming historic structures. The reason a nonconforming use permit is needed is because the proposed use and the building itself are nonconforming with FW Floodway District standards intended to minimize loss due to floods. However, state and federal floodplain standards on which the City's floodway regulations are based contain special provisions, not requiring a consent petition, to allow the rehabilitation and reuse of nonconforming historic structures in the floodway. The structure at 258 Mill Street, the last remaining portion of the Harvest

States Grain Elevator complex, is a historic structure under federal, state, and local floodplain regulations, and therefore eligible for special consideration.

(b) *The variance is consistent with the comprehensive plan.*

This finding is met. Reuse of the City House is consistent with the Upper Landing Urban Design Master Plan, which was adopted by the City Council in 2001, and is consistent with the Comprehensive Plan.

(c) *The applicant has established that there are practical difficulties in complying with the provision, and that the property owner proposes to use the property in a reasonable manner that is not permitted by the provision. Economic considerations alone do not constitute practical difficulties.* This finding is met. Application of the petition requirement would require the applicant to obtain signatures from more than 170 property owners, an unreasonably large number based on the reasonableness standards that courts have used for petition requirements. The purpose of the variance is to provide for use of the existing historic structure as a reception hall, a reasonable use that is consistent with the underlying T3M zoning of the site and the surrounding area.

(d) *The plight of the landowner is due to circumstances unique to the property not created by the landowner.* This finding is met. The City House project requires a nonconforming use permit because part of the historic structure the property owner is proposing to rehabilitate and reuse, consistent with the general purposes and intent of floodplain regulations, is located within the FW Floodway district, a circumstance unique to the property not created by the landowner. A corner of a condominium parcel with over 200 separate owners falls just within the 100 foot petition area, also a circumstance unique to the property not created by the landowner.

(e) *The variance will not permit any use that is not allowed in a zoning district where the affected land is located.* This finding is met. Variance of the petition requirement will not permit a use that is not allowed in a zoning district where the affected land is located, but rather will provide for consideration of a nonconforming use permit for reuse a historic structure consistent with the general purposes and intent of floodplain regulations. The proposed use of the structure as a reception hall is a permitted conditional use in the underlying T3M Traditional Neighborhood district.

(f) *The variance will not alter the essential character of the surrounding area.* This finding is met. Variance of the petition requirement will not alter the essential character of the surrounding area, but rather will provide for consideration of a nonconforming use permit for rehabilitation of an existing historic structure for a use consistent with the underlying T3M Traditional Neighborhood district. Development of the site and surrounding area are guided by the Upper Landing Urban Design Master Plan to ensure compatibility with the surrounding area.

- I. **STAFF RECOMMENDATION:** Based on the findings above, staff recommends approval of a permit for reestablishment of nonconforming use of the building at 258 Mill Street as a reception hall in the FW Floodway District, with variance of the petition requirement.



**CITY OF SAINT PAUL**  
*Christopher B. Coleman, Mayor*

25 West Fourth Street  
Saint Paul, MN 55102

Telephone: 651-266-6700  
Facsimile: 651-228-3220

June 2, 2011

Don Varney  
Department of Parks and Recreation  
25 W. Fourth Street, Suite 500  
Saint Paul, MN 55102

RE: Zoning File 11-148-456, 258 Mill Street Nonconforming Use Permit Application

Dear Mr. Varney:

I have determined that the Department of Parks and Recreation application for reestablishment of nonconforming use of the structure at 258 Mill Street, which is partly within the FW Floodway Overlay District, may be deemed complete despite the fact that it was submitted without a consent petition of property owners within 100 feet as required under Zoning Code § 62.109(e)(5). This will allow the Planning Commission to consider granting a variance from the petition requirement.

Zoning Code § 61.101 allows variances from the strict enforcement of provisions of the Zoning Code. Granting a variance from the consent petition requirement may be reasonable because the underlying purpose of the petition requirement, which is to obtain consent from surrounding property owners for a use not otherwise permitted in the area, would not apply in this case because the proposed use (a reception hall) is a permitted conditional use in the underlying T3M zoning district. Surrounding property is also zoned T3M. Any issues pertaining to the relationship between the proposed reception hall and the surrounding property will be addressed by the Planning Commission in their consideration of the conditional use permit.

In addition, the petition requirement may be inconsistent with the intent of floodplain regulations to provide for reuse of nonconforming historic structures. The reason a nonconforming use permit is needed is because the proposed use and the building itself are nonconforming with FW Floodway District standards intended to minimize loss due to floods. However, state and federal floodplain standards on which the City's floodway regulations are based contain special provisions, not requiring a consent petition, to allow the rehabilitation and reuse of nonconforming historic structures in the floodplain. The structure at 258 Mill Street, the last remaining portion of the Harvest States Grain Elevator complex, is a historic structure under federal, state, and local floodplain regulations, and therefore eligible for special consideration.

Finally, strict application of the consent petition requirement under Zoning Code § 62.109(e)(5) would require signatures from more than 170 property owners. This appears to be an unreasonably large number of signatures to obtain based on the reasonableness standards that courts have used for petition requirements, particularly where, as here, the nonconforming use permit relates to FW Floodway District standards and not the potential impact on surrounding property.

Sincerely,

A handwritten signature in cursive script that reads "Donna Drummond".

Donna Drummond  
Director of Planning

**NONCONFORMING USE PERMIT APPLICATION**Department of Planning and Economic Development  
Zoning Section.1400 City Hall Annex  
25 West Fourth Street  
Saint Paul, MN 55102-1634  
(651) 266-6589

Zoning Office Use Only
File #: <u>11-148456</u>
Fee:
Tentative Hearing Date:

**APPLICANT**

Name	<u>Don Varney</u>	
Address	<u>400 CHA 25 W. 4th St.</u>	
City	<u>St. Paul</u> St. <u>MN</u> Zip <u>55102</u>	<u>651 266-</u>
Name of Owner (if different)	<u>H.R.A.</u>	Daytime Phone <u>6427</u>
Contact Person (if different)		Phone _____

**PROPERTY LOCATION**

Address/Location	<u>258 Mill St.</u>
Legal Description	<u>See Attached sheets</u>
Current Zoning	_____
(attach additional sheet if necessary)	

**TYPE OF PERMIT:** Application is hereby made for a Nonconforming Use Permit under provisions of Chapter 62, Section 109 of the Zoning Code:

- The permit is for:
- Change from one nonconforming use to another (para. c)
  - Re-establishment of a nonconforming use vacant for more than one year (para. e)
  - Establishment of legal nonconforming use status for use in existence at least 10 years (para. a)
  - Enlargement of a nonconforming use (para. d)

**SUPPORTING INFORMATION:** Supply the information that is applicable to your type of permit.Present/Past Use Trail-head, Interpretive facility

Proposed Use \_\_\_\_\_

Attach additional sheets if necessary

Attachments as required  Site Plan  Consent Petition  AffidavitApplicant's Signature Don Varney Date 5/23/24 City Agent JOSH S 23/11

**CITY OF SAINT PAUL**

Mayor Christopher B. Coleman

400 City Hall Annex  
25 West 4<sup>th</sup> Street  
Saint Paul, Minnesota 55102  
[www.stpaul.gov/parks](http://www.stpaul.gov/parks)

Telephone: 651-266-6400  
Facsimile: 651-292-7311

**Supporting information for Re-establishment of Non-conforming Use Permit for 258 Mill St.  
'City House'**

PIN: 062822310021

**Legal Description: (From Ramsey Co. GIS online mapping.)**

SECTION 6 TOWN 28 RANGE 22 RIPARIAN RIGHTS IN AND OVER THAT AREA DESCRIBED AS COM AT THE MOST SLY COR OF LOT 1 BLK 1 UPPER LANDING URBAN VILLAGE TH N 42 DEG 06 MIN 59 SEC E ALONG THE SELY L OF SD BLK 1 A DIST OF 60.09 FT TH S 47 DEG 53 MIN 01 SEC E A DIS

**Description of proposed use:**

The existing structure at 258 Mill St. is a Designated Historic Building that is currently being used as an interpretive center and a trailhead for the Samuel H. Morgan Regional Trail. The Parks and Recreation Department wants to upgrade the facility to be able use it for catered events such as weddings and private group meetings. The upgrades include addition of restrooms, addition of a fire sprinkler system, improvements to the electrical service, renovation of the concrete floor. Additional equipment will be added that will provide facilities for enhancing its use as a special event venue. External changes to the structure are limited by its status as an historic structure. There are four 24" x 42" louvered ventilation openings planned for the north wall of the grain elevator and an entrance ramp is planned for the tower door.

The Parks and Recreation Department anticipates renting the space from April through the end of September or October. At the end of the season, the building will be shut down and winterized. Winterization will also effectively prepare the structure for potential spring flooding by isolating the toilets from the sanitary sewer system by closing valves. When threats of spring flooding have passed, the building will be re-opened for the spring-fall active season.

- a) The proposed use will be in compliance with City Comprehensive Plan; General Policy 1. sections 1,2,3,4 and 7.
- General Policy 2: Appropriate development of sites with river valley views and protection of views where appropriate.
- b) Use of the City House will utilize on and off street parking as well as special event parking strategies including valet parking to remote parking facilities.
- c) Use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare. The original development plans included potential use of the structure as an event or special use facility.
- d) Use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. The surrounding property has already been developed or is public parkland that will not be negatively impacted by the proposed use.
- e) The use will require re-establishment of a non-conforming use via a Non-conforming Use permit that has been applied for per Section 72.41, paragraph c. of the Legislative Code.



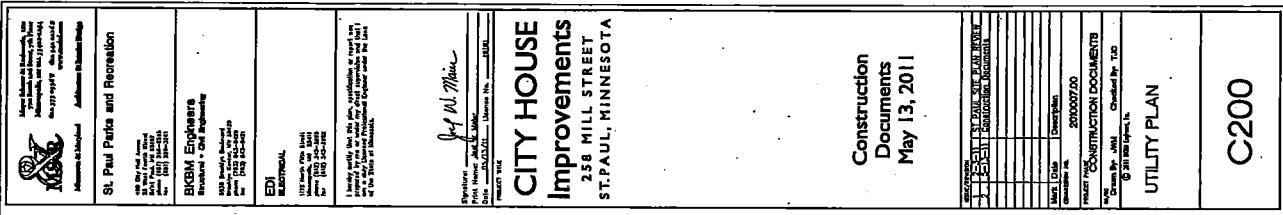
CAPRA Accreditation

An Affirmative Action Equal Opportunity Employer



National Gold Medal Award





The diagram illustrates a cross-section of a bridge pier foundation. At the top, a horizontal arrow labeled 'X' indicates the direction of the applied load. Below the pier, a vertical column of arrows labeled 'N' shows the distribution of the load into the soil layers. The soil layers are labeled from top to bottom: 'SAND', 'CLAY', 'SILT', 'SAND', 'CLAY', and 'SILTY CLAY'. A dashed line labeled 'DRAIN TIE' extends from the pier through the sand layers. A bracket labeled 'STABILISER' points to the clay layer at the base of the pier.

**CITY HOUSE**  
**Improvements**  
258 MILL STREET  
ST. PAUL, MINNESOTA

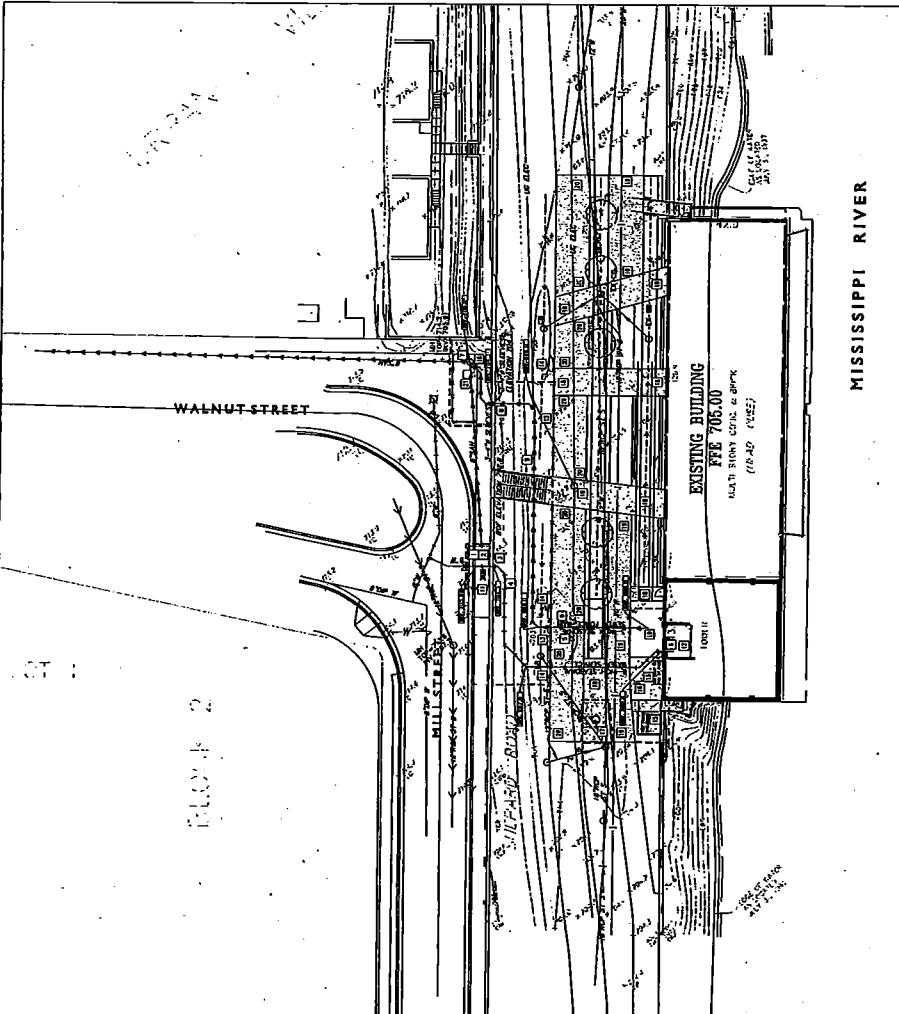
SITABLE, MINNESOTA

Construction  
Documents  
May 13, 2011

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UTILITY PLAN

C200



**Take care per report easy if necessary**

The diagram illustrates a single paving stone with a herringbone pattern. The overall width is labeled as 12'-0" (144 inches). The thickness of the stone is indicated as 3 1/2". A scale bar at the bottom left shows 1/4" = 1'-0", representing a ratio of 1:48.

#### **4 EXISTING HIGHWAY-BITUMINOUS PAVEMENT**

This architectural site plan illustrates a proposed building footprint on a corner lot bounded by Walnut Street to the north and Mill Street to the west. The plan shows the existing building footprint, which is a three-story structure, and the proposed addition, which is a two-story extension. The proposed addition is labeled "EXISTING BUILDING" and "TYPE 705.00". The plan also includes a legend for "TOWN HALL" and "WALNUT STREET". The drawing uses various line weights and hatching to differentiate between existing structures, proposed additions, and other site features.

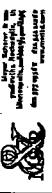
 <b>UTILITY PLAN</b>	<b>TRUCK COAT NEW WAVE 2017</b>
<b>TOUGH CHAMPS PTA</b> <b>WINTER SISALINERS</b>	<b>DATE: 10/20/17 TIME: 08:00:00</b> <b>PER: INJURY 2.51 DOWNGRADE TO 4.7</b> <b>LOC: 1000 E. BROADWAY PHOENIX ARIZ.</b>
<b>DRIVING DOUBLE NEW</b> <b>PERIOD 240 KILOMETERS</b>	

### **3 EXISTING HEAVY-DUTY BITUMINOUS PAVEMENT**

10' " CHAMFERED BACK FLOOR  
10' " WITH FRONT FLOOR  
2' " TIE 1 1/2"  
COP THICK JAW  
HORN 10' " X 10' " X 10' "  
HORN 10' " X 10' " X 10' "  
HORN 10' " X 10' " X 10' "  
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St Paul Parks and Recreation

220 South Street,  
Newark, New Jersey  
Telephone: Newark 4-1212

STRUCTURE • THE INSTITUTE

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**CITY HOUSE**  
**Improvements**  
258 MILL STREET  
ST. PAUL, MINNESOTA

Construction  
Documents  
Feb 3, 2011

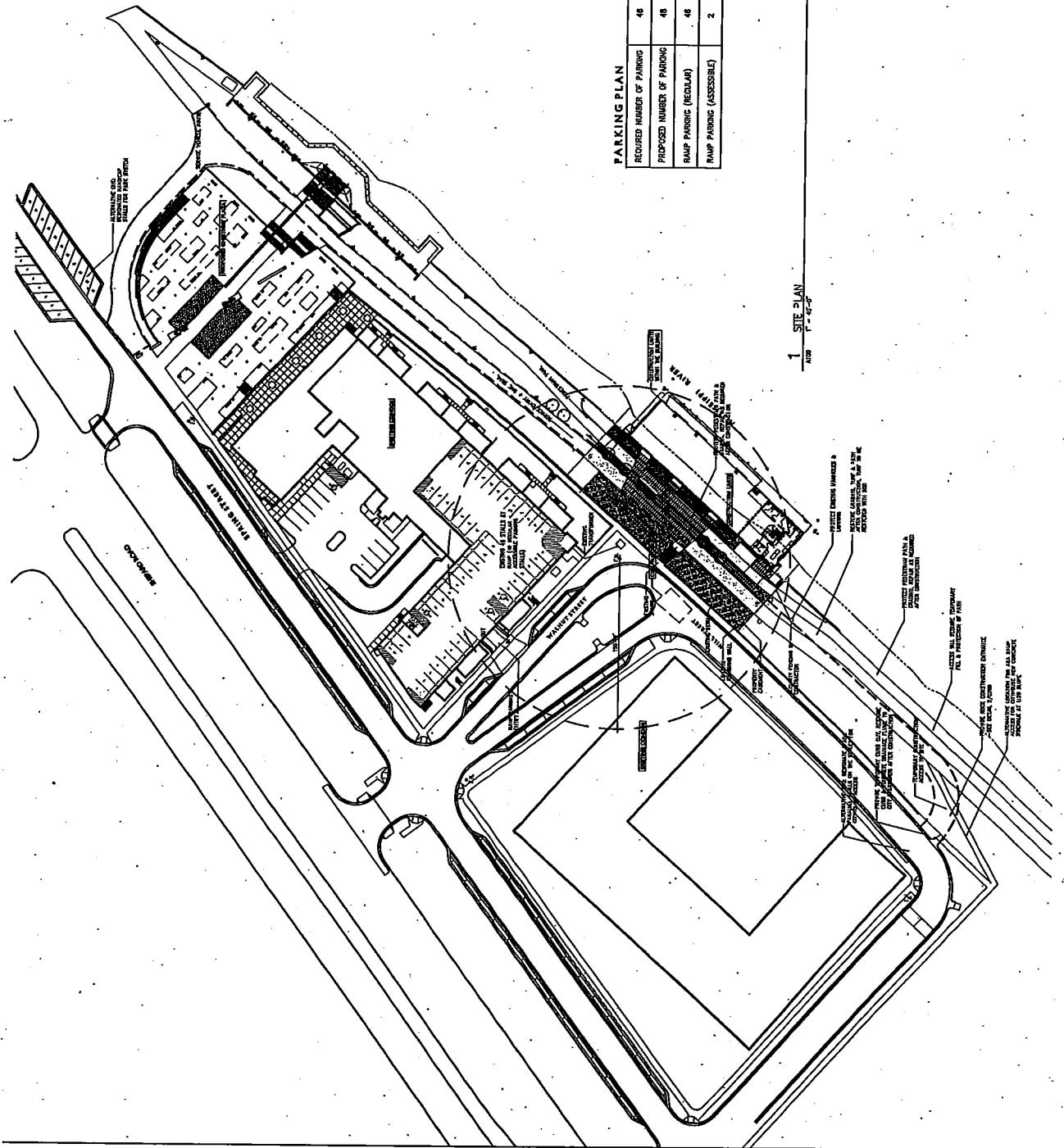
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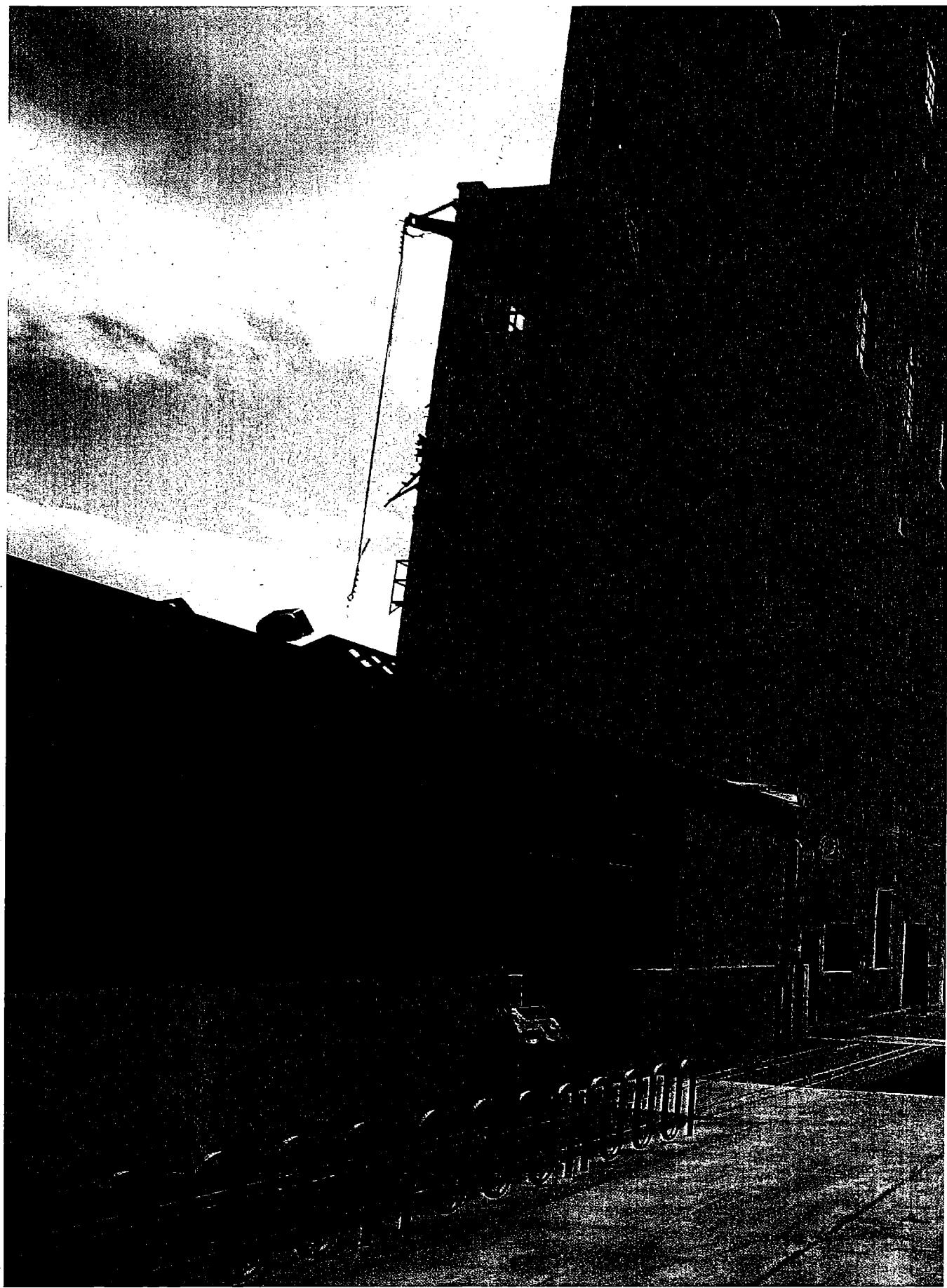
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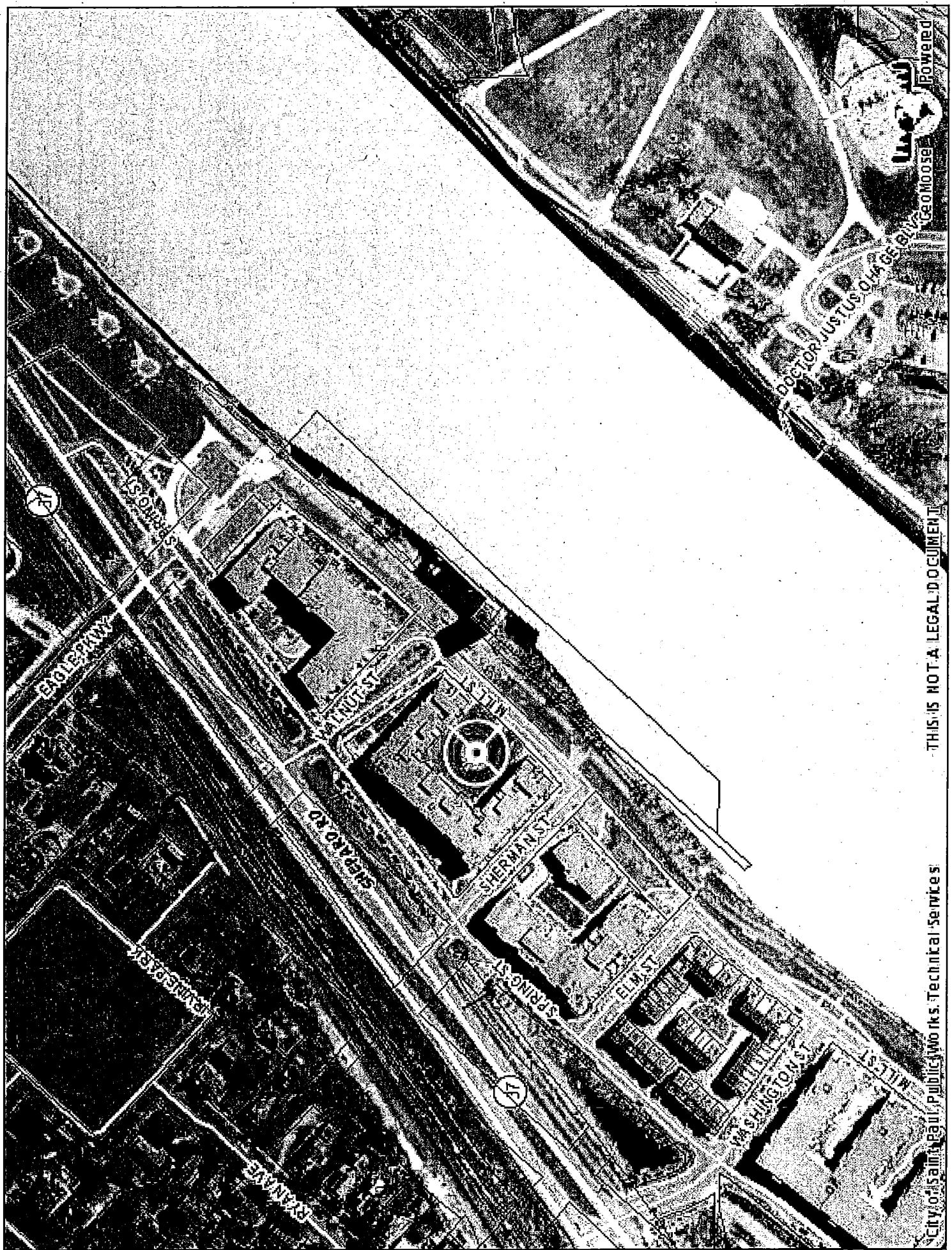
WALKING PLAN

REQUIRED NUMBER OF PARKING	48
PROPOSED NUMBER OF PARKING	48
RAMP PARKING (REGULAR)	48
RAMP PARKING (ACCESSIBLE)	2

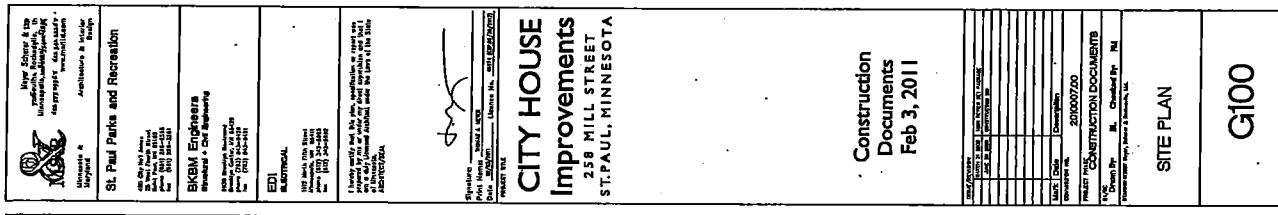
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City of Saint Paul Public Works Technical Services



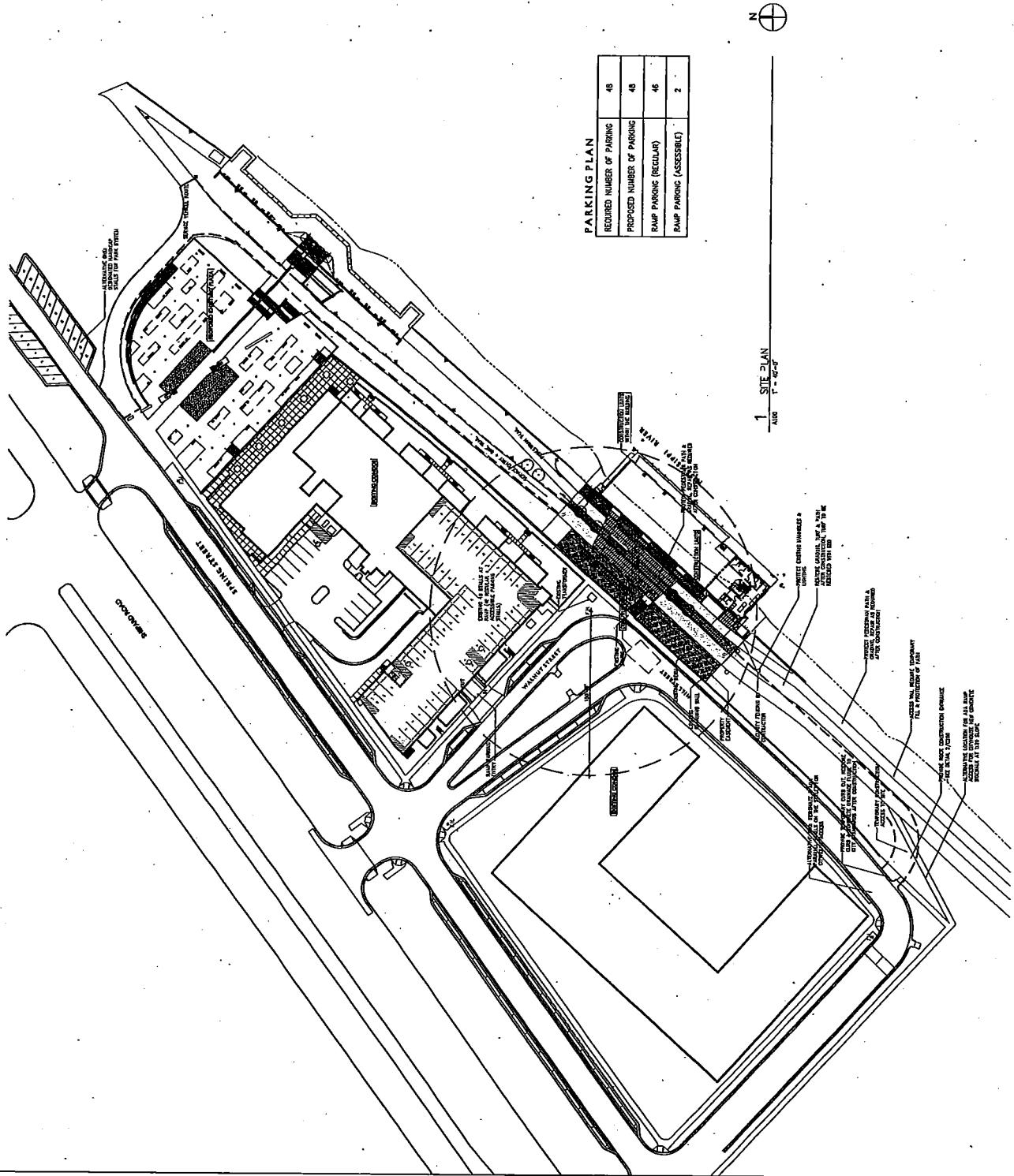
**CITY HOUSE**  
**Improvements**  
258 MILL STREET  
ST. PAUL, MINNESOTA

Construction  
Documents  
Feb 3, 2011

Project Name	Project Manager	Architect	Contractor	Owner
Project Address	Phone No.	Phone No.	Phone No.	Phone No.
Project Type	Completion Date	Completion Date	Completion Date	Completion Date
Start Date	Completion Date	Completion Date	Completion Date	Completion Date
End Date	Completion Date	Completion Date	Completion Date	Completion Date
Architectural Services	Architectural Services	Architectural Services	Architectural Services	Architectural Services
Engineering Services	Engineering Services	Engineering Services	Engineering Services	Engineering Services
Construction Services	Construction Services	Construction Services	Construction Services	Construction Services
Interior Design Services	Interior Design Services	Interior Design Services	Interior Design Services	Interior Design Services
Landscaping Services	Landscaping Services	Landscaping Services	Landscaping Services	Landscaping Services
Other Services	Other Services	Other Services	Other Services	Other Services
PROJECT NAME: CONSTRUCTION DOCUMENTS				
True	False	True	False	True
I declare under penalty of perjury that the above information is true and correct.				

G100

SITE PLAN





Housing and Redevelopment  
Authority of The City of St. Paul

One South 5th Street, Suite 1000  
St. Paul, Minnesota 55101-1510  
(651) 266-5150 or (651) 266-5151  
www.hra.stpaulmn.gov

Architectural Drawing Order

BKRM Engineers

Structural + Civil Engineering  
Mechanical, Electrical, Fire Protection  
and General Construction Services

ED1  
ELECTRICAL  
1100 First Ave S, Ste 1000  
Minneapolis, MN 55402  
(612) 348-2444

I, [Signature], do hereby declare that I am  
the architect of record for the above described  
project and that I have prepared the same  
in accordance with the laws of the State of  
Minnesota.

Signature \_\_\_\_\_  
Print Name \_\_\_\_\_  
Date \_\_\_\_\_  
Project Title \_\_\_\_\_

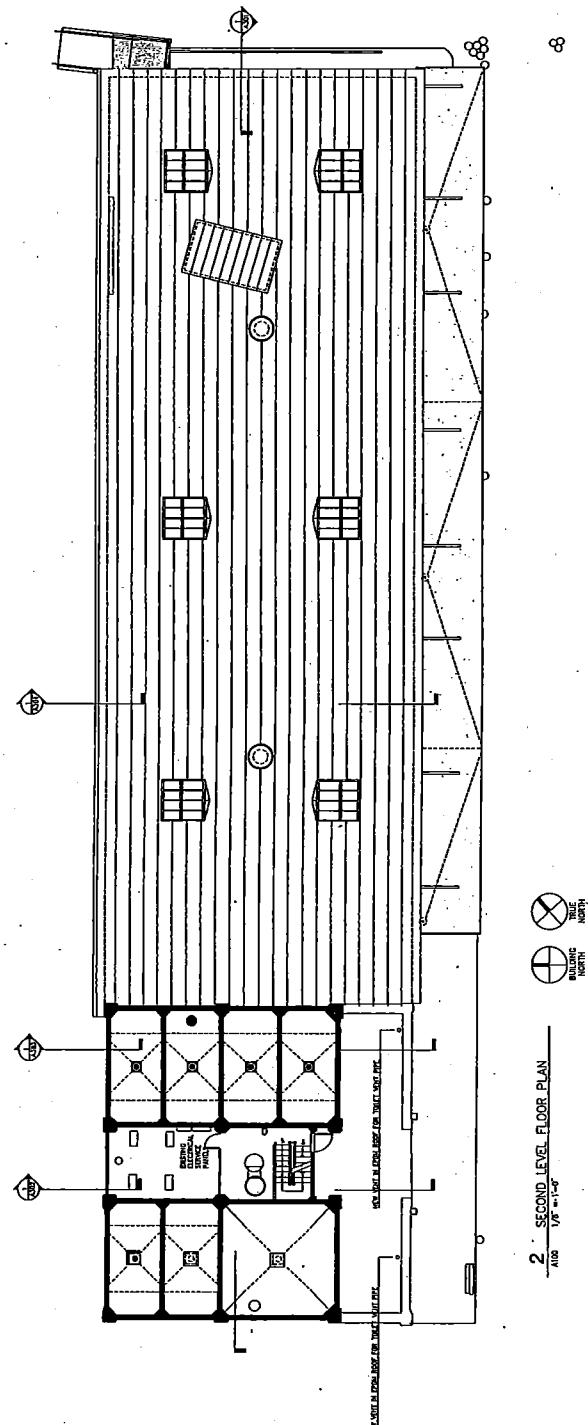
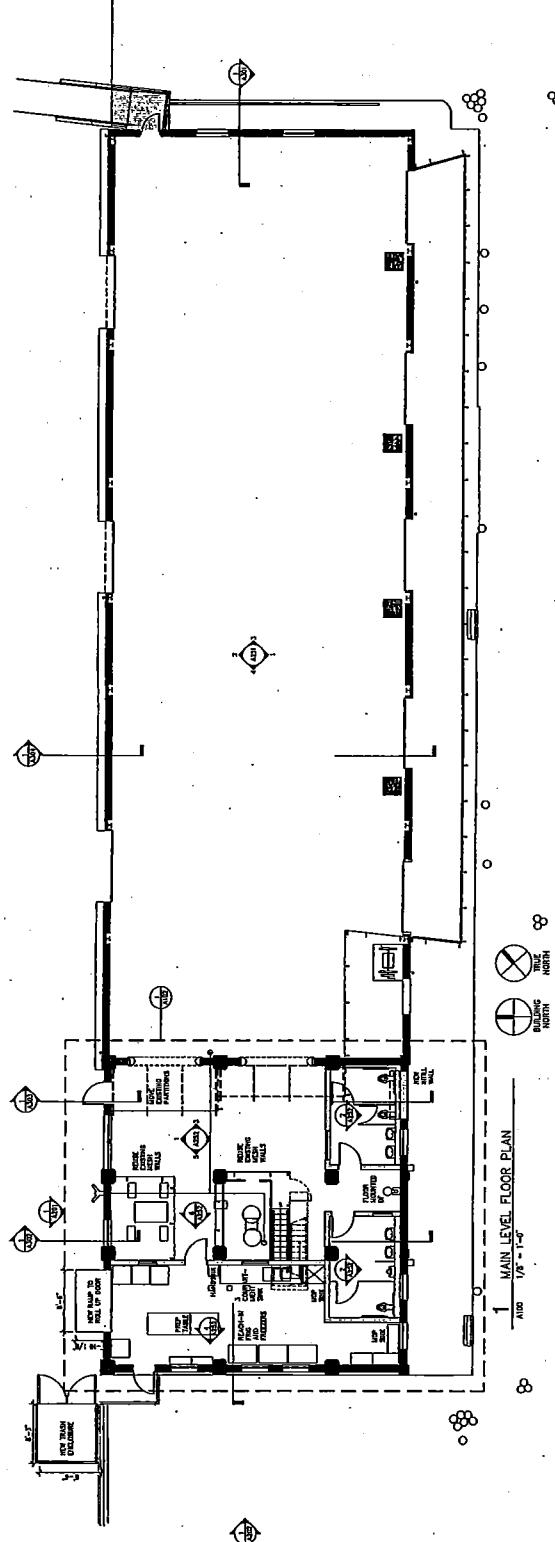
## CITY HOUSE

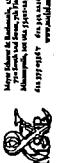
258 MILL STREET  
ST. PAUL, MINNESOTA

Construction  
Documents  
Dec 17, 2010

200000720  
PROJECT DOCUMENTS  
Drawn By: PMH  
Checked By: PMH  
Reviewed by: [Signature], LA  
FLOOR PLAN

A100





Housing and Redevelopment Authority of The City of St. Paul  
1200 City Hall Annex

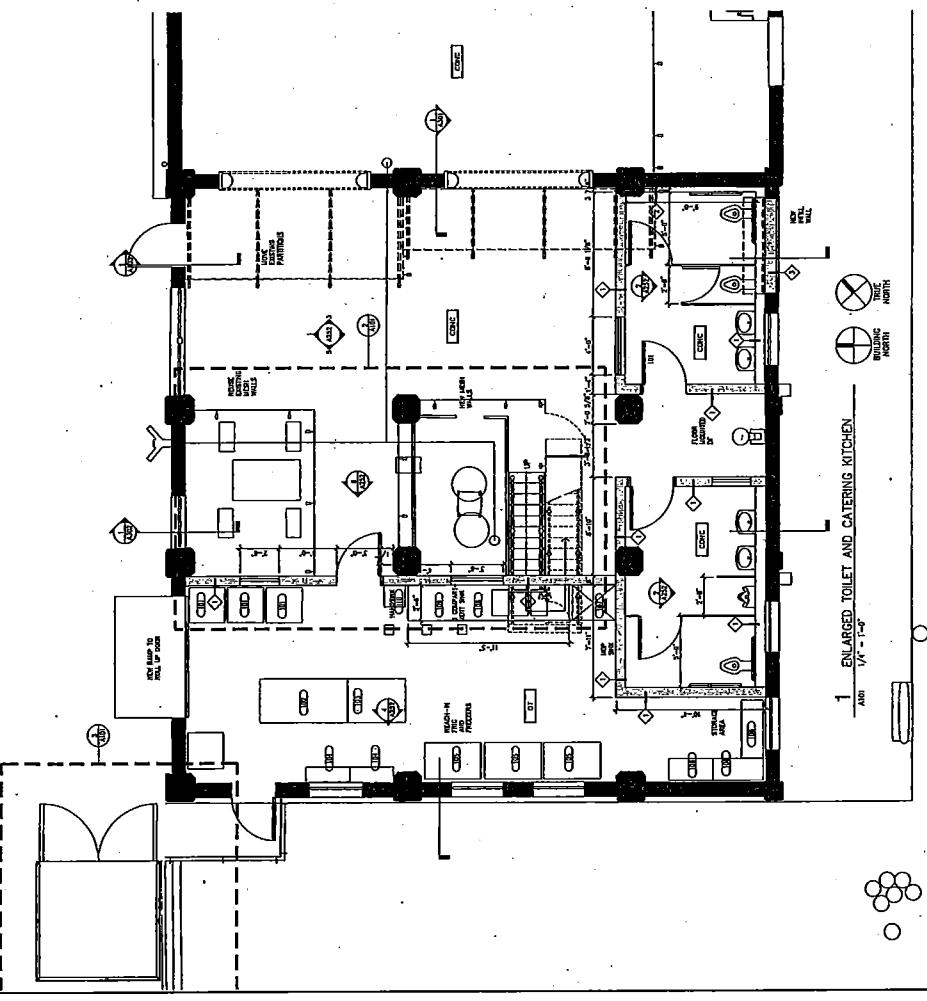
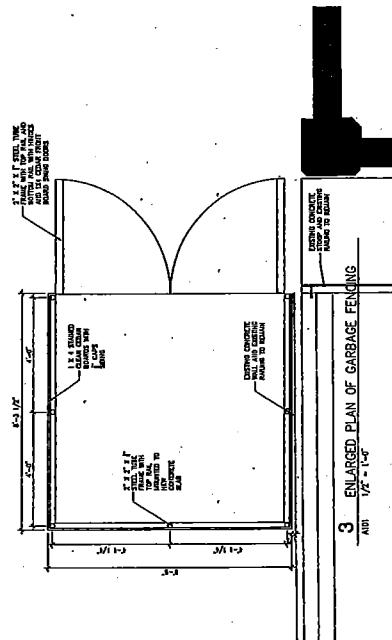
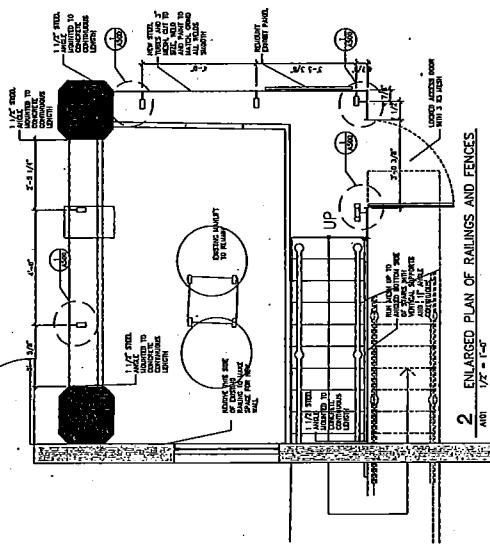
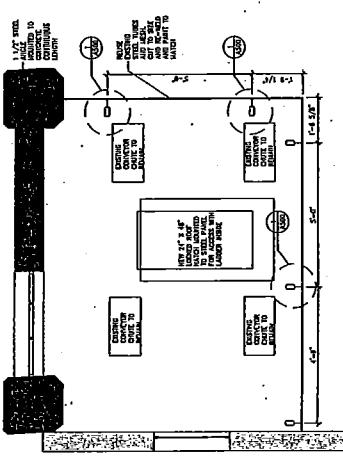
**BKBM Engineers**  
Structural - Civil Engineering  
1000 Franklin Boulevard, Suite 100  
Brooklyn, NY 11203-3200  
(718) 343-2551

I hereby certify that the above organization is composed of persons who have been duly registered and qualified as members of the Bar of the Commonwealth of Massachusetts, and that they are lawfully authorized under the Laws of the State of Massachusetts.

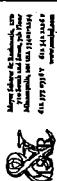
**CITY HOUSE**  
258 MILL STREET  
ST. PAUL MINNESOTA

Construction  
Documents  
Dec 17, 2010

DATE ISSUED	2000/07/20
ISSUE COPY	1
RECEIVED BY	RECEIVED BY : MM
PROJECT INFORMATION DOCUMENTS	Drawn By : MM checked by : MM Date : MM/DD/YY Note : MM
ENLARGED FLOOR PLAN	



## EQUIPMENT LIST



Housing and Redevelopment  
Authority of the City of St. Paul  
One City Hall, Room 100  
125 University Street  
St. Paul, Minnesota 55101  
(651) 266-5244

Architectural Services Dept.

BKBM Engineers  
Structures • Civil Engineering  
Land Surveying • General Contracting  
Urban Design • Construction Management  
Real Estate Development

ED1

EXTERIOR

Project Name: CITY HOUSE  
Architect: BKBM Architects  
Architectural Services Dept.  
Structures • Civil Engineering  
Land Surveying • General Contracting  
Urban Design • Construction Management  
Real Estate Development  
Address: 238 Mill Street  
City: St. Paul  
State: MN  
Zip: 55101  
Phone: (651) 266-5244  
Fax: (651) 266-5245  
E-mail: bkbm@bkbm.com  
Web: www.bkbm.com

Signature:

Date: 12/17/2010  
Title: BKBM  
Architectural Services Dept.

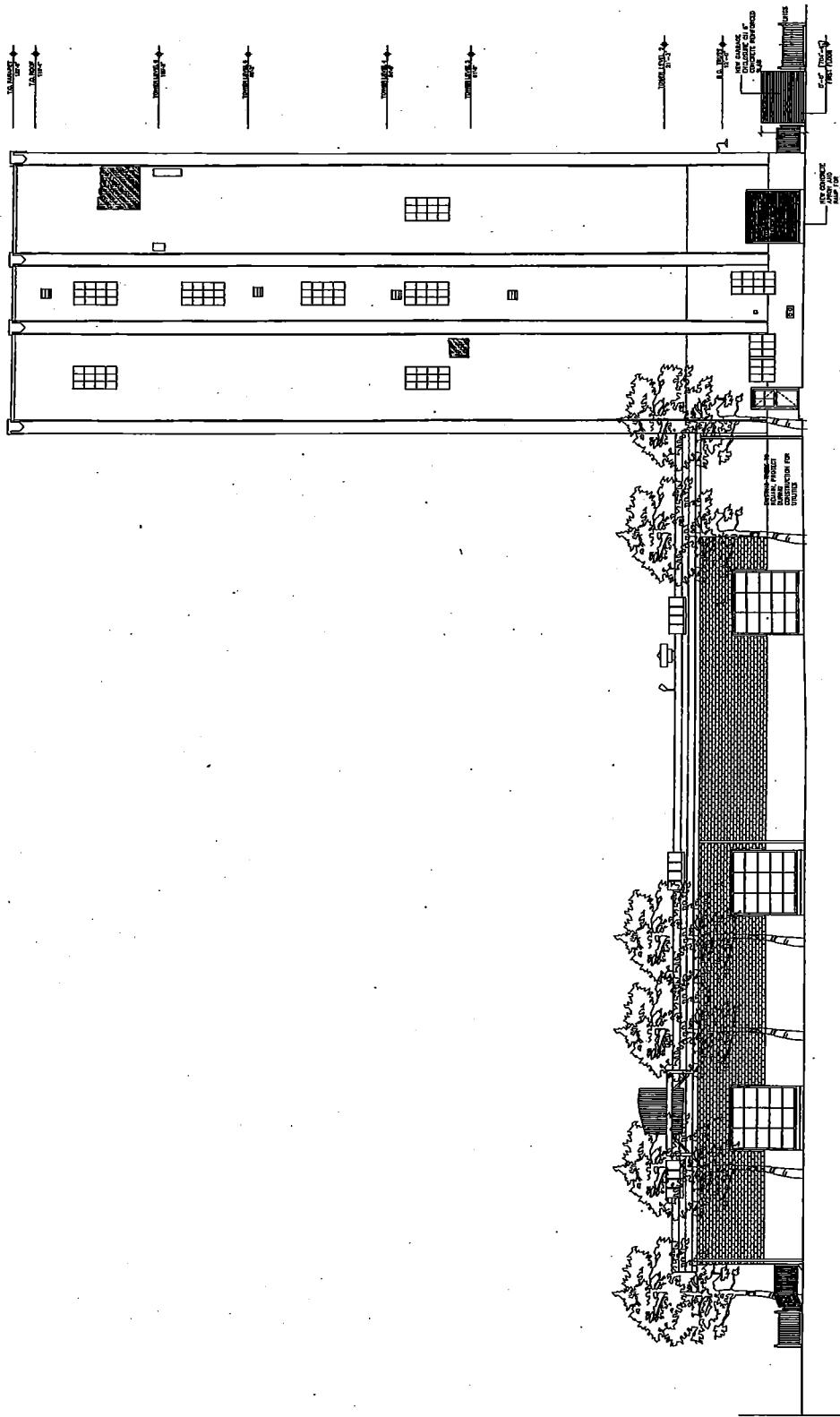
## CITY HOUSE

238 MILL STREET  
ST. PAUL, MINNESOTA

Construction  
Documents  
Dec 17, 2010

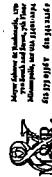
RECEIVED  
20100720  
RECEIVED BY: BKBM  
RECEIVED FROM: BKBM Architects, Ltd.  
125 University Street, Suite 100  
St. Paul, MN 55101

A201



1 NORTH ELEVATION  
 $1/8" = 1'-0"$   
(A201)





Housing and Redevelopment  
Authority of The City of St. Paul

258 MILL STREET  
St. Paul, Minnesota 55101  
651.266.4547 • Fax 651.266.4548  
Email: [hra@st paulmn.gov](mailto:hra@st paulmn.gov)

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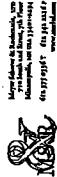
Human Resources

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Authority of The City of St. Paul

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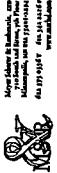
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Safety



Klimawandel und Anpassungen im ländlichen Raum

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Authority of The City of St. Paul

**BKBM Engineers**  
Structural + CM Engineering

9-930 Brooklyn Boardwalk  
Customer Service Center, Inc. 13410  
Phone: (712) 842-6429  
(712) 842-6411

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After the first one, we used the second one, and so on. We did  
not use the third one, because it was not good enough.  
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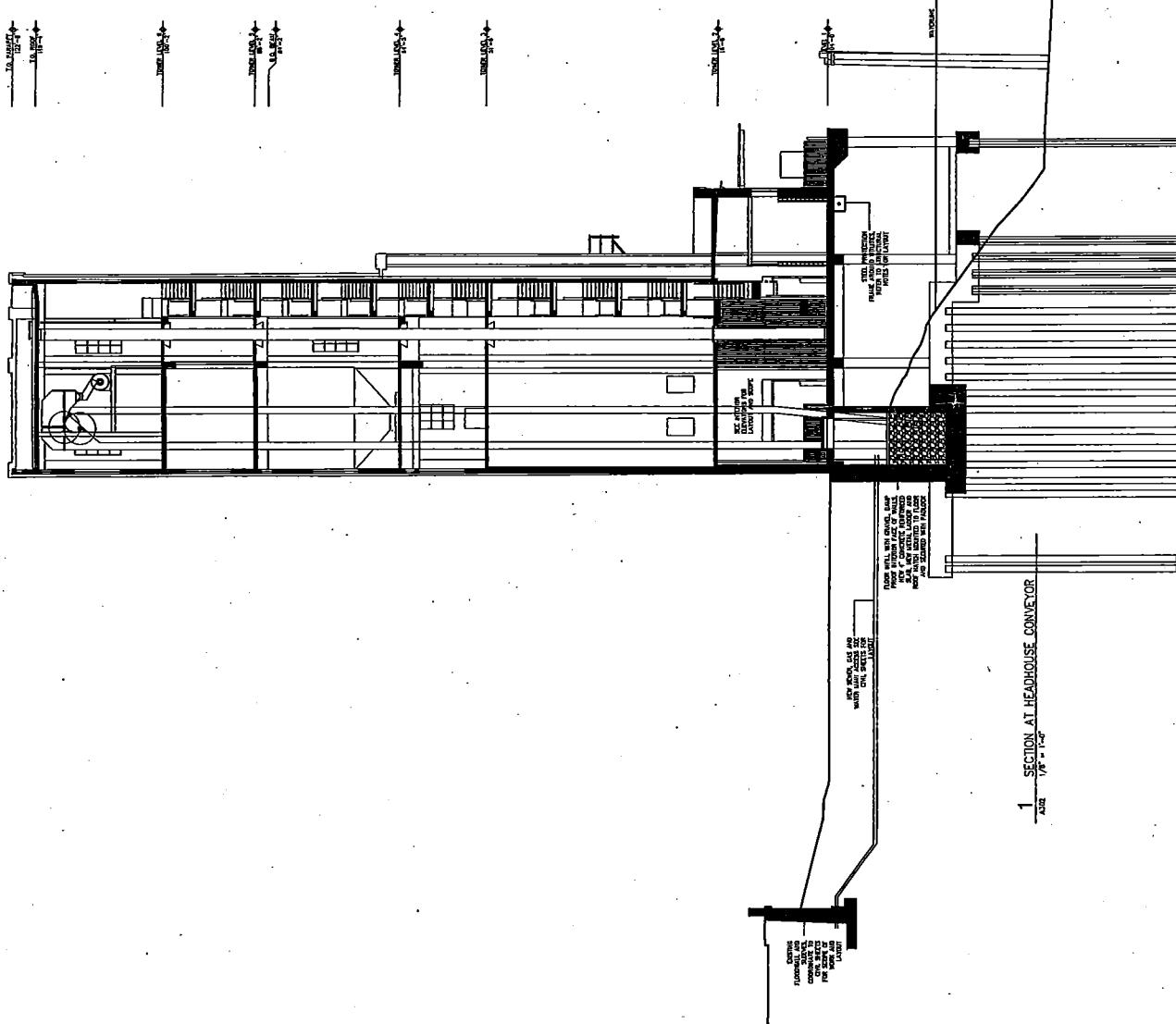
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**CITY HOUSE**  
258 MILL STREET  
ST. PAUL MINNEAPOLIS

Construction  
Documents  
Dec 17, 2010

A302





Housing and Redevelopment  
Authority of The City of St. Paul

**Planning and Redevelopment Authority of The City of St. Paul**

JKBM Engineers  
Institutional + Civil Engineering

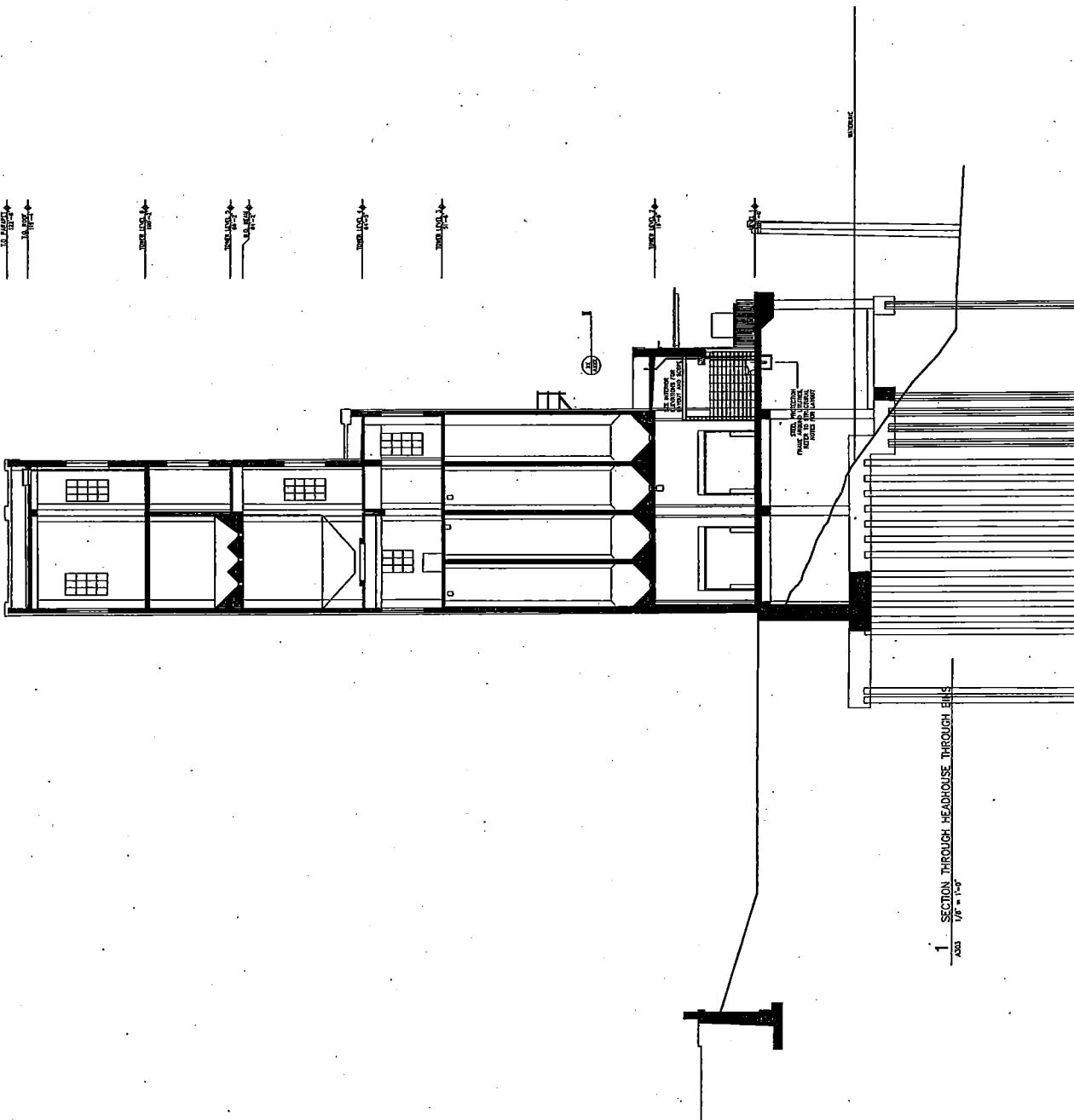
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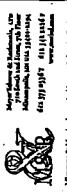
hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the Laws of the State of Minnesota.

**CITY HOUSE**  
258 MILL STREET  
ST. PAUL, MINNESOTA

Construction  
Documents  
Dec 17, 2010

A303





Housing and Redevelopment Authority of The City of St. Paul  
The City of St. Paul  
1970

**BKBM Engineering**  
Structural + Civil Engineering

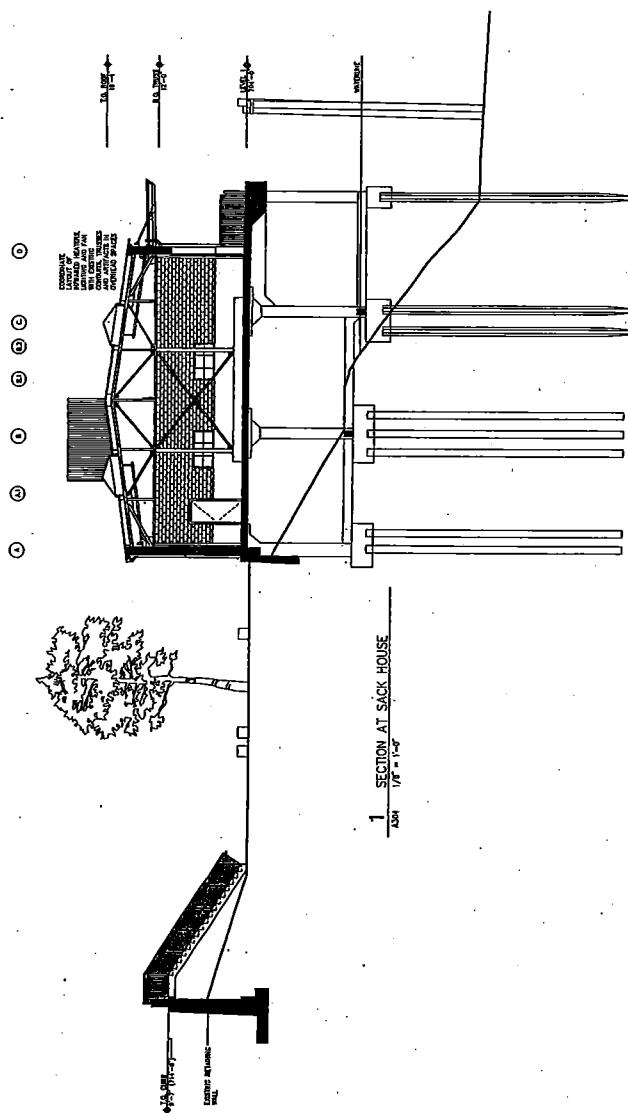
I hereby certify that the plan, specification or report was prepared by me while I was engaged in the actual practice of my profession, and that it has not been prepared by anyone else except myself, and that it is based upon information and knowledge which I have obtained from one or more of the sources set forth in the plan.

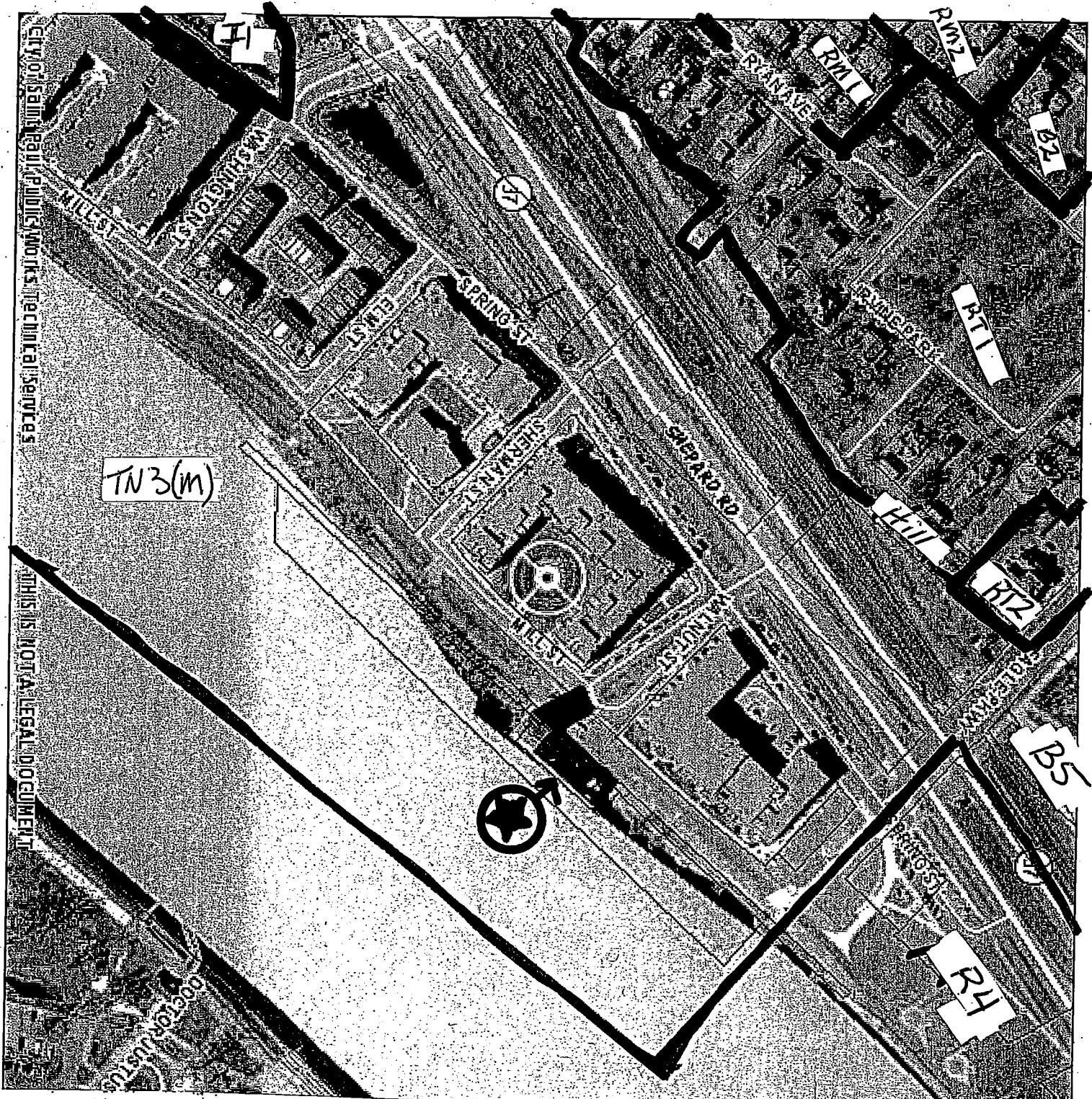
*[Signature]*

**CITY HOUSE**  
258 MILL STREET  
ST. PAUL, MINNESOTA

Construction  
Documents  
Dec 17, 2010

A304





# CITY OF SAINT PAUL

# Park and Rec-Design

APPLICANT

PURPOSE RE-EST NCUP

FILE # 11-148456

DATE 5-31-11

PLNG. DIST. 4 + 13

## Land Use Map #

SCANNED BY ANTHONY

Zoning Map # 16

## LEGEND

**zoning district boundary**



 north

- one family      • ▲ ◌ commercial
  - two family      ◆ —▲ industrial
  - multiple family      V vacant

## ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** City House FILE #11-148-409  
2. **APPLICANT:** Dept. of Parks and Recreation HEARING DATE: June 16, 2011  
3. **TYPE OF APPLICATION:** Conditional Use Permit  
4. **LOCATION:** 258 Mill St, south side of intersection of Walnut and Mill Street  
5. **PIN & LEGAL DESCRIPTION:** 062822310021, Section 6 Town 28 Range 22 Riparian Rights In And Over That Area Described As Com At The Most Sly Cor Of Lot 1 Blk 1 Upper Landing Urban Village Th N 42 Deg 06 Min 59 Sec E Along The Sely L Of Sd Blk 1 A Dist Of 60.09 Ft Th S 47 Deg 53 Min 01 Sec E A Dist  
6. **PLANNING DISTRICT:** 9 PRESENT ZONING: T3M, FW  
7. **ZONING CODE REFERENCE:** §61.501  
8. **STAFF REPORT DATE:** June 8, 2011 BY: Josh Williams  
9. **DATE RECEIVED:** May 23, 2011 **60-DAY DEADLINE FOR ACTION:** July 22, 2011

- 
- A. **PURPOSE:** Conditional Use Permit for a reception hall  
B. **PARCEL SIZE:** 8712 sq. ft.  
C. **EXISTING LAND USE:** G-Parks/Rec. Facility  
D. **SURROUNDING LAND USE:**  
North: Park/Multi-Family Housing (T3)  
East: Park/Multi-Family Housing (T3)  
South: River  
West: Park/Multi-Family Housing (T3)  
E. **ZONING CODE CITATION:** §61.501 lists general conditions that must be met by all conditional uses  
F. **HISTORY/DISCUSSION:** The Saint Paul Housing and Redevelopment Authority (HRA) acquired the former Harvest States grain elevator property in 1988. The site was cleared, with Head House and Sack House (now collectively known as the City House) preserved, and listed on the National Register of Historic Places in 2004. In 2007, the HRA was granted a permit for reestablishment of non-conforming use of the City House as a restaurant and interpretive center. The nonconforming use permit for a restaurant became invalid because the restaurant was not established within two years of the decision, as required by Zoning Code §61.105.  
G. **DISTRICT COUNCIL RECOMMENDATION:** The District 9 Council had not commented at the time of this report.  
H. **FINDINGS:**
1. The City House is comprised of the historic Head House and Sack House, the lone remaining structures from the Harvest States grain storage and transfer complex. The City House is partially built on pilings, and was previously used to transfer grain between rail cars and barges. This previous use has been discontinued for over 20 years. Although a permit for reestablishment of nonconforming use of the City House as a restaurant and interpretive center was approved in 2007, the use as a restaurant was not established within two years and the nonconforming use permit for a restaurant became invalid by action of Zoning Code §61.105.
  2. The City House proposal is for rehabilitation of the Head House and Sack House as a reception hall, to be available for use by the general public. Rehabilitation will include construction of a catering kitchen and flood-proofing of the structure to an FP-4 standard. Flood-proofing will consist of the use of water-resistant materials and a flood emergency response plan.
  3. §66.321 lists reception hall as a conditional use in the T3 Traditional Neighborhood district. §61.501 lists five standards that all conditional uses must satisfy:
    - (1) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the*

*city council.* This standard is met. Reuse of the City House is consistent with the Upper Landing Urban Design Master Plan, which was adopted by the City Council in 2001, and is consistent with the Comprehensive Plan.

- (2) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This standard is met. The off-street parking requirement for the proposed use is 38 spaces. 48 spaces will be provided in an underground parking facility in the adjacent mixed-use development, with ingress and egress via Walnut Street. Additional parking is available on site, and remote parking with valet service can be provided as needed, at the discretion of the Department of Parks and Recreation.
- (3) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.* This standard is met. The proposed use is compatible with the surrounding parkland and residential and mixed-use developments in the same T3M zoning district. Subject to proper flood-proofing, reuse of the historic Head House/Sack House complex does not prevent a danger to the public health or safety. The City House will be owned and operated by the Department of Parks and Recreation, providing a means for ensuring use of the facility does not endanger the general welfare of the public.
- (4) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* This standard is met. The use is compatible with the surrounding development. The site and the surrounding area are both part of the same T3M district, for which orderly development and improvement is guided by the Upper Landing Urban Design Master Plan.
- (5) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This standard is met, subject to the issuance of a nonconforming use permit for a reception hall in the FW Floodway district.

I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the conditional use permit for a reception hall in the City House at 258 Mill Street.



## CONDITIONAL USE PERMIT APPLICATION

Department of Planning and Economic Development

Zoning Section

1400 City Hall Annex

25 West Fourth Street

Saint Paul, MN 55102-1634

(651) 266-6589

Zoning office use only
File # 11148103
Fee \$ 980.00
Tentative Hearing Date
6-16-11

9  
+3

### APPLICANT

Name Don Varney  
Address 400 CHA 25 W. 4th St.  
City St. Paul St. MN Zip 55302 Daytime Phone (651) 266-6427  
Name of Owner (if different) H.R.A. of City of St. Paul  
Contact Person (if different) \_\_\_\_\_ Phone \_\_\_\_\_

### PROPERTY LOCATION

Address / Location 258 Mill St.  
Legal Description PIN 062822310021 See Attached.  
Current Zoning T3, RC  
(attach additional sheet if necessary)

TYPE OF PERMIT: Application is hereby made for a Conditional Use Permit under provisions of  
Chapter 68, Section 504, Paragraph \_\_\_\_\_ of the Zoning Code.

SUPPORTING INFORMATION: Explain how the use will meet all of the applicable standards and conditions.  
If you are requesting modification of any special conditions or standards for a conditional use, explain why  
the modification is needed and how it meets the requirements for modification of special conditions in  
Section 61.502 of the Zoning Code. Attach additional sheets if necessary.

SEE Attached additional information.

Required site plan is attached

Applicant's Signature Don Varney

Date 5/23/11

City Agent Josh

**CITY OF SAINT PAUL**

Mayor Christopher B. Coleman

400 City Hall Annex  
25 West 4<sup>th</sup> Street  
Saint Paul, Minnesota 55102  
[www.stpaul.gov/parks](http://www.stpaul.gov/parks)

Telephone: 651-266-6400  
Facsimile: 651-292-7311

**Supporting information for Conditional Use Permit for 258 Mill St. 'City House'**

PIN: 062822310021

**Legal Description: (From Ramsey Co. GIS online mapping.)**

SECTION 6 TOWN 28 RANGE 22 RIPARIAN RIGHTS IN AND OVER THAT AREA DESCRIBED AS COM AT THE MOST SLY COR OF LOT 1 BLK 1 UPPER LANDING URBAN VILLAGE TH N 42 DEG 06 MIN 59 SEC E ALONG THE SELY L OF SD BLK 1 A DIST OF 60.09 FT TH S 47 DEG 53 MIN 01 SEC E A DIS

**Description of proposed use:**

The existing structure at 258 Mill St. is a Designated Historic Building that is currently being used as an interpretive center and a trailhead for the Samuel H. Morgan Regional Trail. The Parks and Recreation Department wants to upgrade the facility to be able use it for catered events such as weddings and private group meetings. The upgrades include addition of restrooms, addition of a fire sprinkler system, improvements to the electrical service, renovation of the concrete floor. Additional equipment will be added that will provide facilities for enhancing its use as a special event venue. External changes to the structure are limited by its status as an historic structure. There are four 24" x 42" louvered ventilation openings planned for the north wall of the grain elevator and an entrance ramp is planned for the tower door.

The Parks and Recreation Department anticipates renting the space from April through the end of September or October. At the end of the season, the building will be shut down and winterized. Winterization will also effectively prepare the structure for potential spring flooding by isolating the toilets from the sanitary sewer system by closing valves. When threats of spring flooding have passed, the building will be re-opened for the spring-fall active season.

- a) The proposed use will be in compliance with City Comprehensive Plan; General Policy 1. sections 1,2,3,4 and 7.
- General Policy 2: Appropriate development of sites with river valley views and protection of views where appropriate.
- b) Use of the City House will utilize on and off street parking as well as special event parking strategies including valet parking to remote parking facilities.
- c) Use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare. The original development plans included potential use of the structure as an event or special use facility.
- d) Use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. The surrounding property has already been developed or is public parkland that will not be negatively impacted by the proposed use.
- e) The use will require re-establishment of a non-conforming use via a Non-conforming Use permit that has been applied for per Section 72.41, paragraph c. of the Legislative Code.

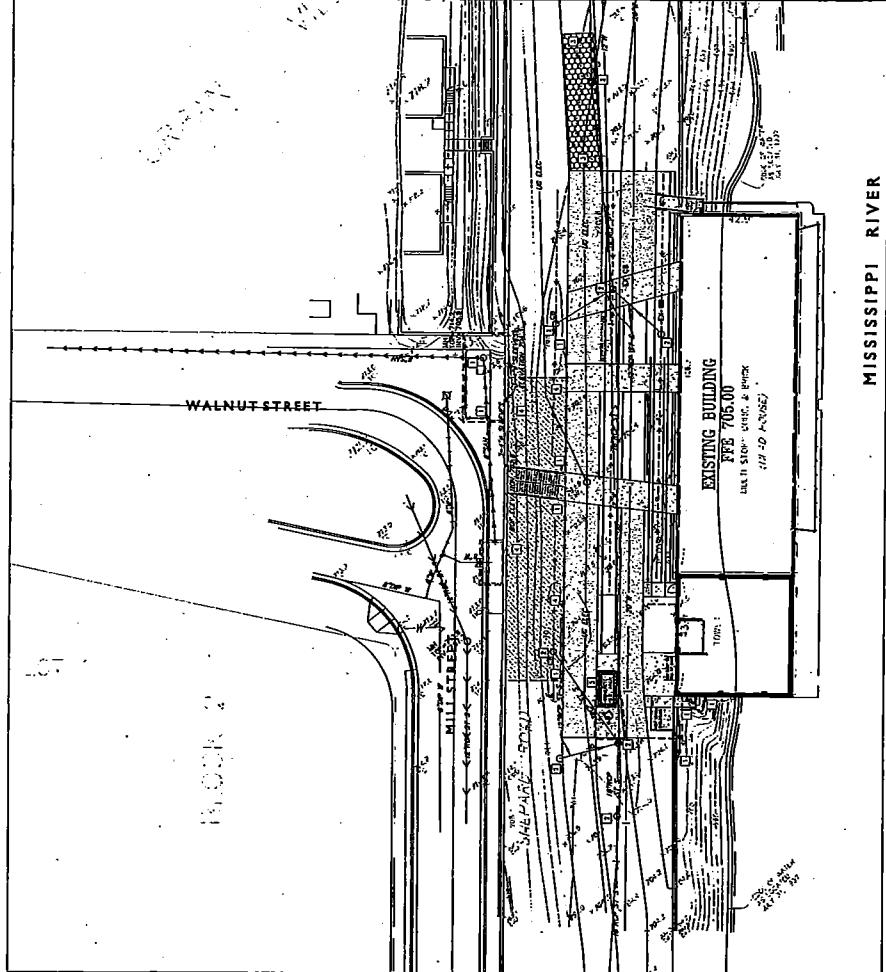
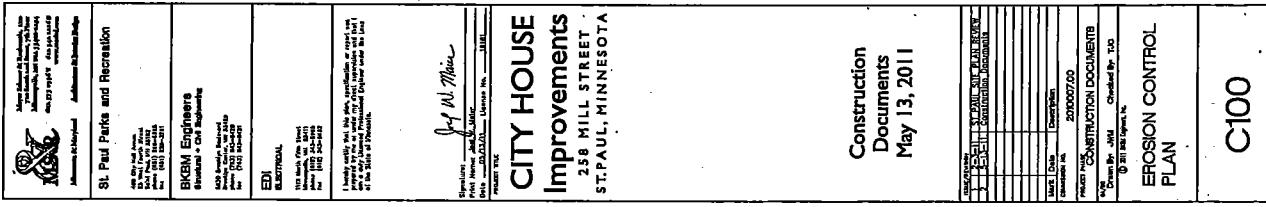


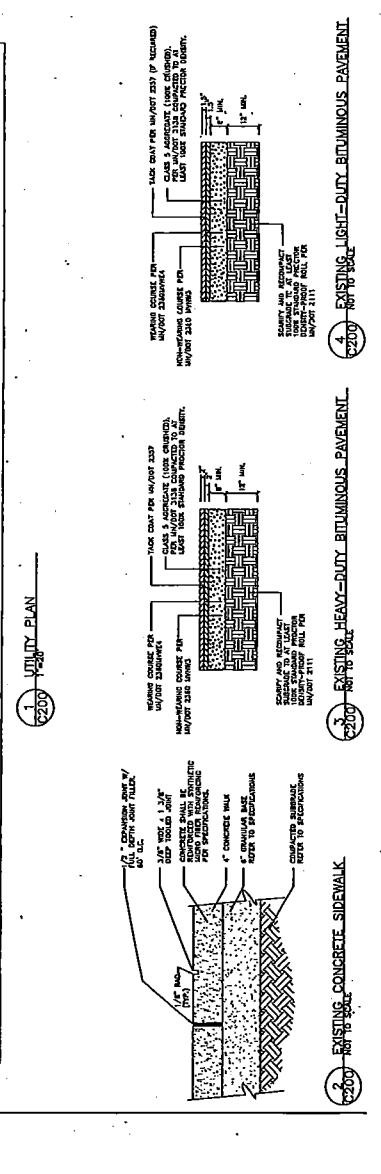
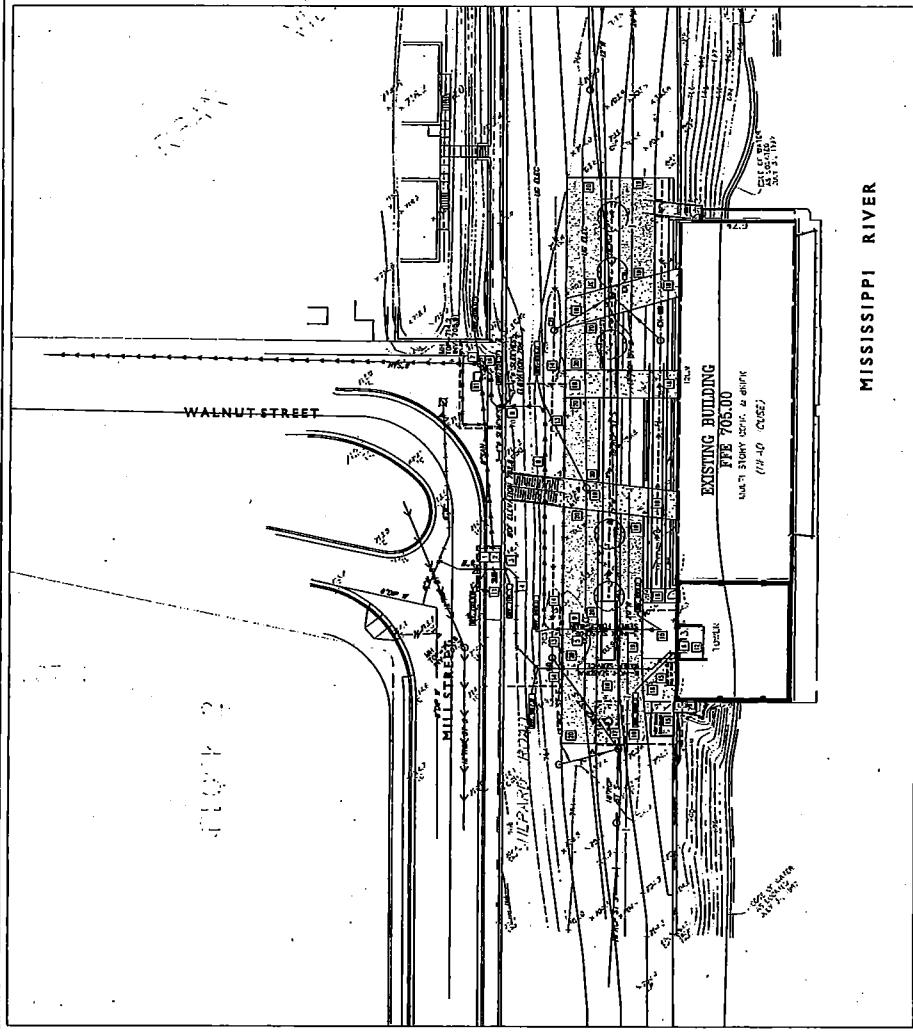
CAPRA Accreditation

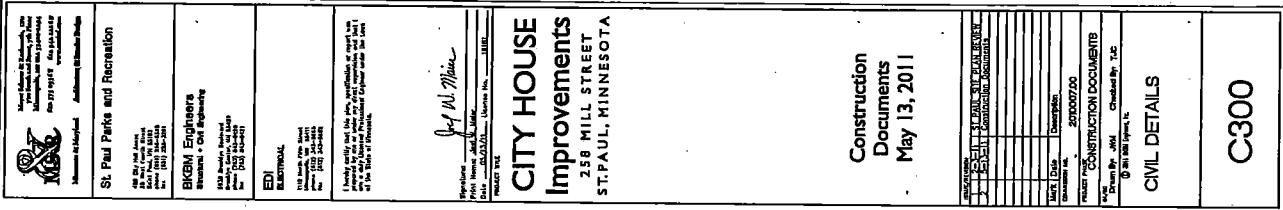
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National Gold Medal Award

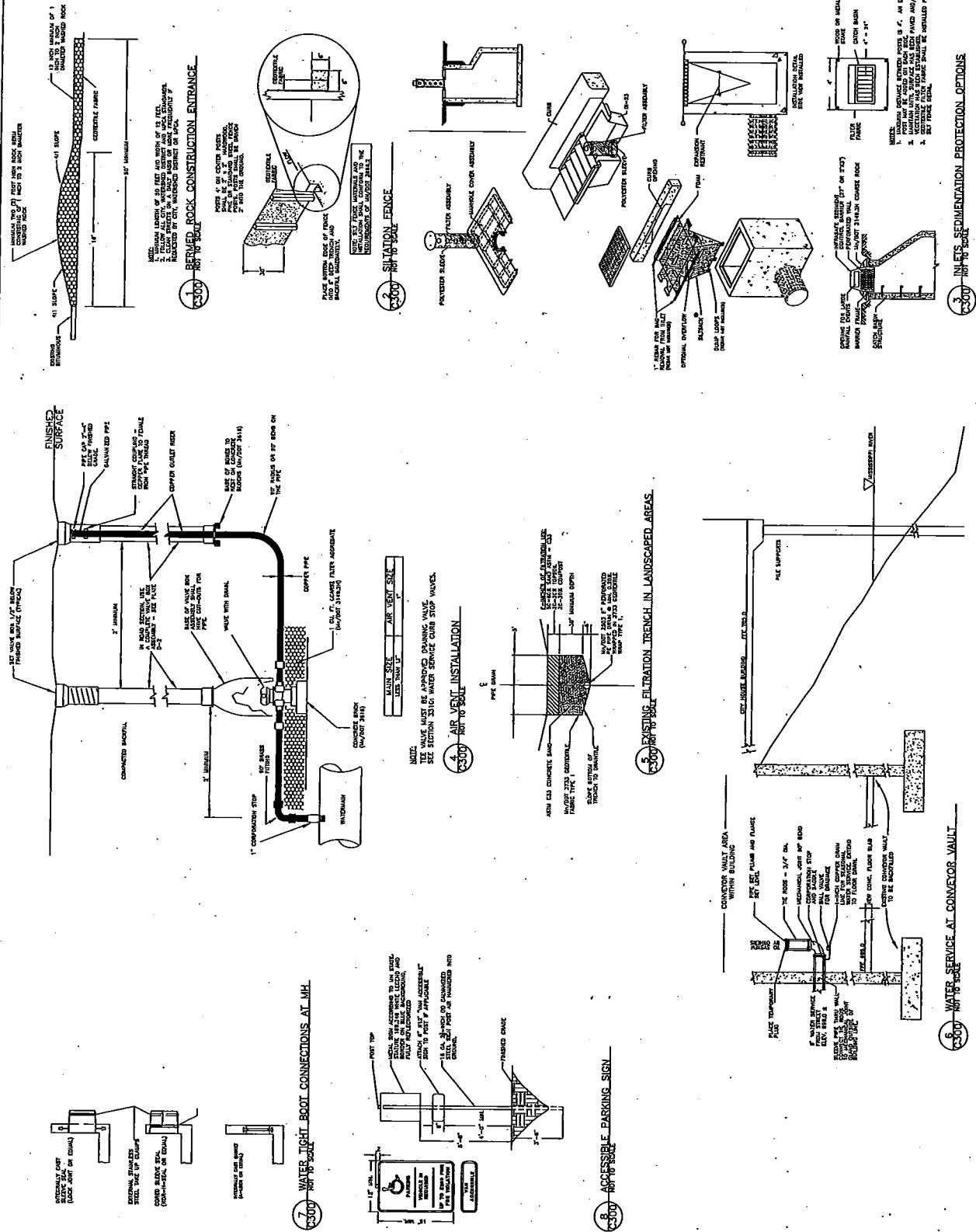






Construction  
Documents  
May 13, 2011

C300





Paul Parks and Recarson

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I hereby certify that the above statement made in my report was presented by me or another direct supervisor and that I am a duly licensed Architect under the laws of the State of Louisiana.

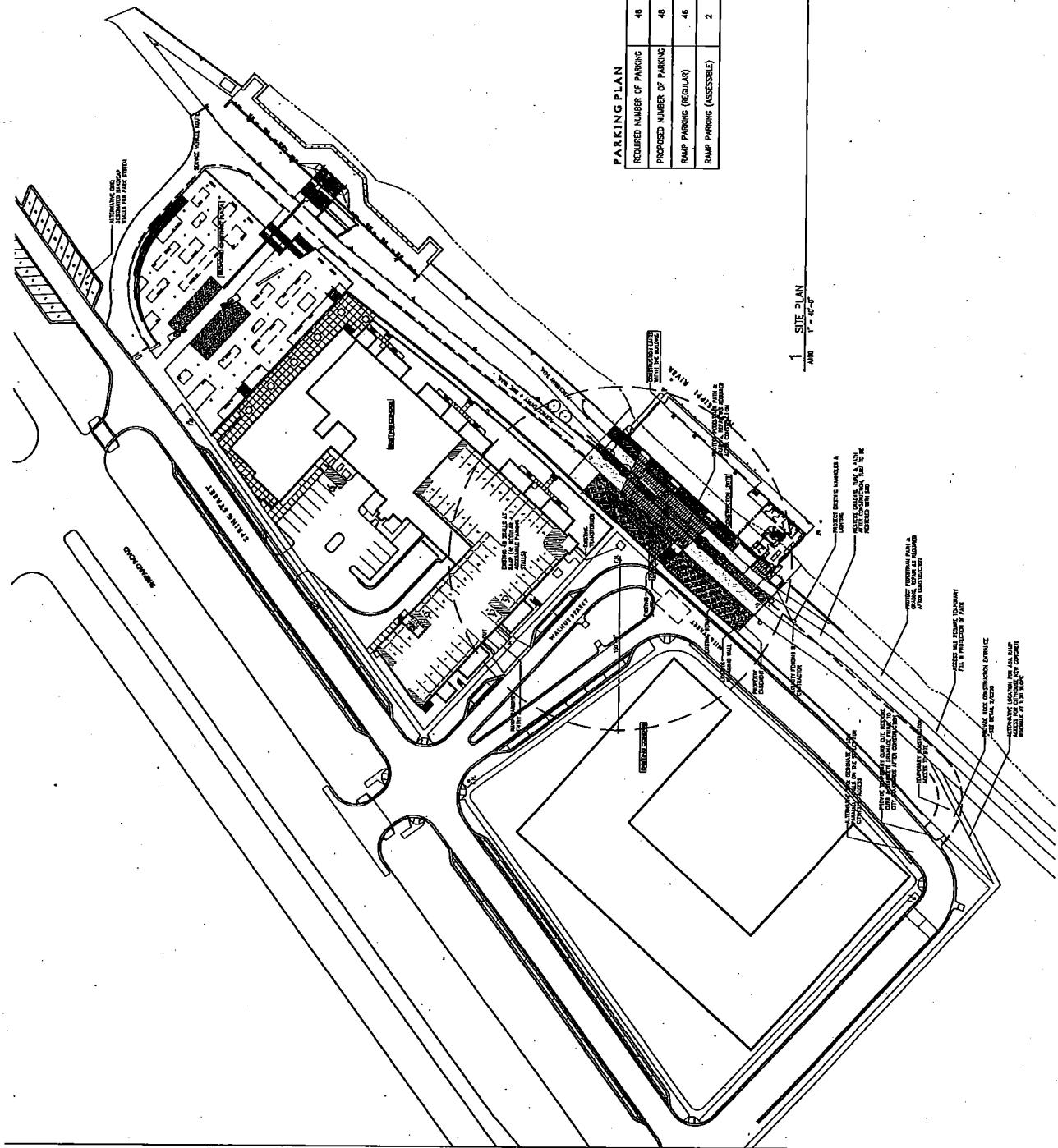
**CITY HOUSE  
Improvements**

Construction  
Documents  
Feb 3, 2011

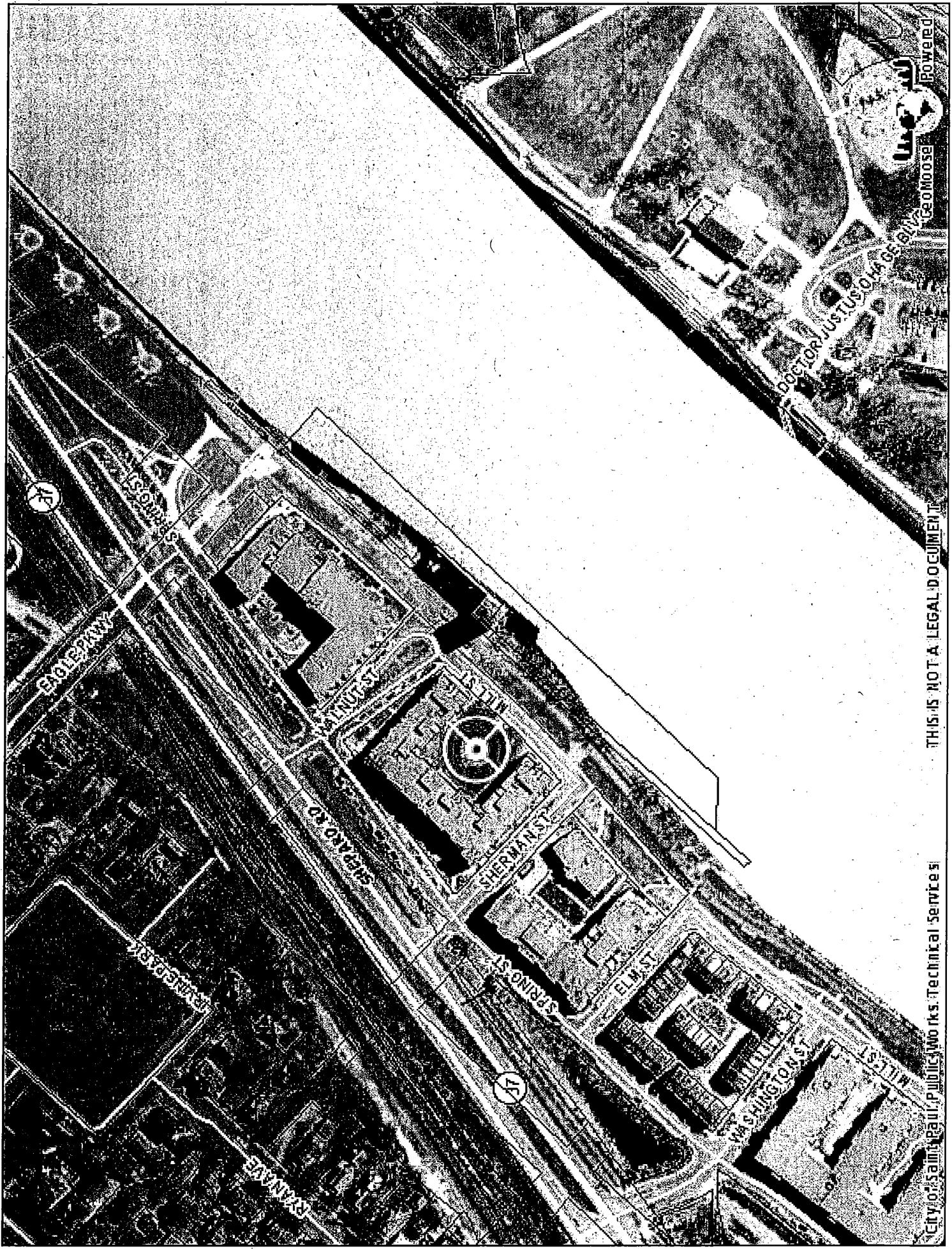
SITE PLAN

G100

<b>PARKING PLAN</b>	
REQUIRED NUMBER OF PARKING SPACES	48
PROPOSED NUMBER OF PARKING SPACES	48
RAMP PARKING (REGULAR)	46
RAMP PARKING (ASSESSABLE)	2

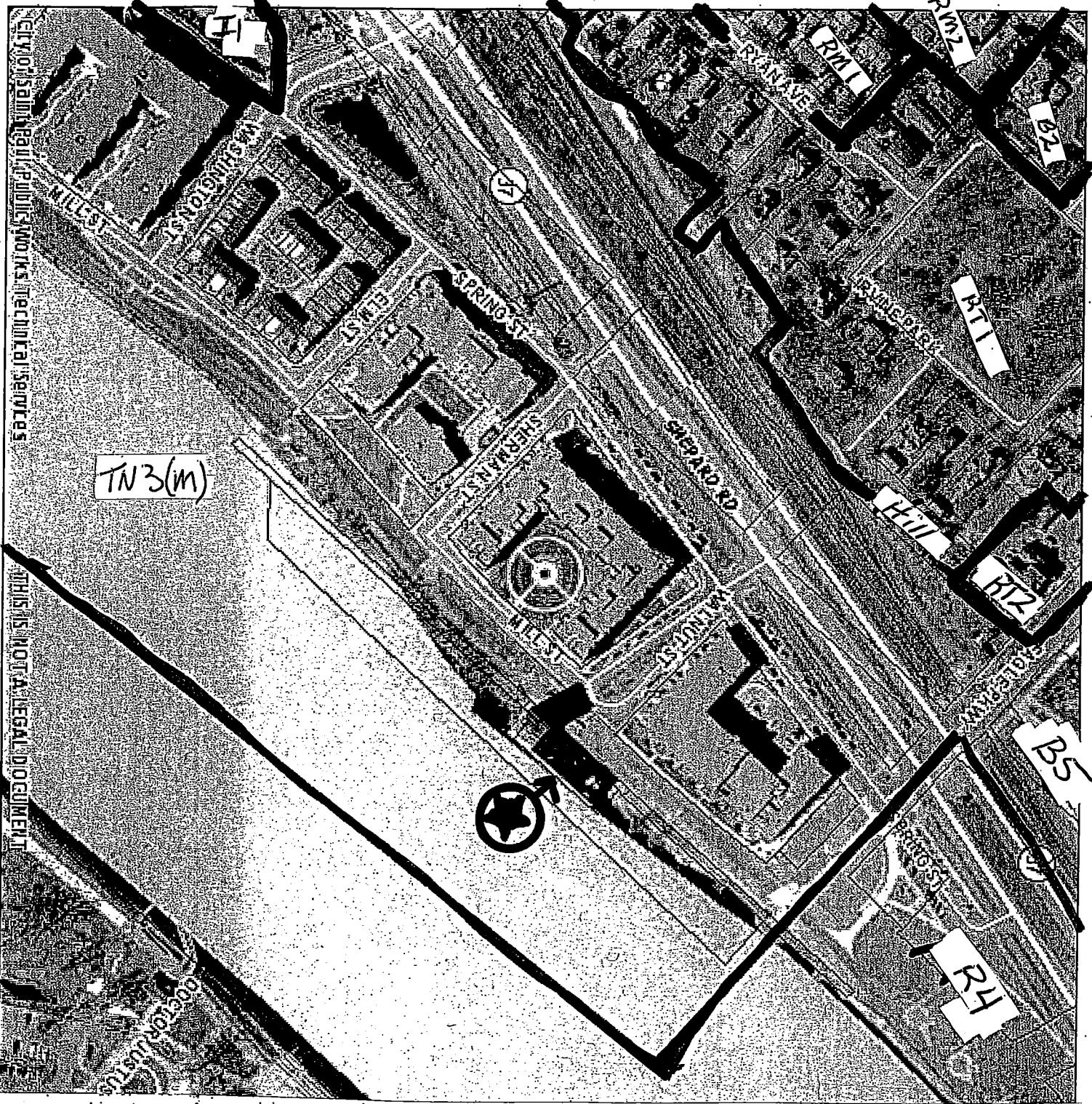






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City of Saint Paul

PARK and Rec-Design

APPLICANT

Conditional USE Permit

LEGEND



PURPOSE

# 11-148409

DATE 5-31-11

zoning district boundary

PLNG. DIST 9

Land Use Map # \_\_\_\_\_

- one family
- two family
- multiple family

SCALE 1" = 400'

Zoning Map # 16



- ▲ commercial
- industrial
- V vacant